

PTO/SB/30 (04-05)

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7 RCE  
JFW

## Request for

Continued Examination (RCE)  
TransmittalAddress to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number 09/990,527

Filing Date 11/21/2001

First Named Inventor Smith, Walter R.

Art Unit 2192

Examiner Name Chih Ching Chow

Attorney Docket Number MFCP.88141

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

- b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

- b. ☒ Other Do not enter Amendment filed 05/26/05; but rather, the attached.

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 19-2112. I have enclosed a duplicate copy of this sheet.

- a. ☒ RCE fee required under 37 CFR 1.17(e)

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- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

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790.00 OP

- iii. ☐ Other \_\_\_\_\_

- b. ☒ Check in the amount of \$ 790.00 enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature	<i>Jesse J. Camacho</i>	Date	7/28/05
Name (Print/Type)	Jesse J. Camacho	Registration No.	51,258

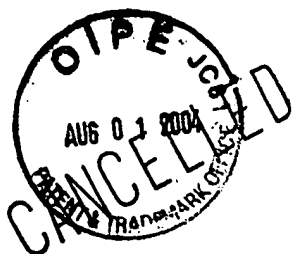
**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Michele R. Scocchera</i>
Name (Print/Type)	Michele R. Scocchera
Date	7-28-05

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



RESPONSE UNDER 37 CFR § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP  
Docket No.: 167498.02/MFCP.88141

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Walter R. Smith

Group Art Unit: 2192

Serial No. 09/990,527

Examiner: Chih-Ching Chow

Filed: November 21, 2001

Confirmation No. 3082

For: METHOD AND SYSTEM FOR RECORDING PROGRAM  
INFORMATION IN THE EVENT OF A FAILURE

CERTIFICATE OF MAILING  
37 C.F.R. 1.8

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7-28-05  
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Michelle R. Sanchez  
Signature

**AMENDMENT (ACCOMPANYING RCE)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: **MAIL STOP RCE**

Sir:

This is in response to the Office Action that was mailed on July 6, 2005, which has a period for response that is set to expire on July 28, 2005. An Advisory Action was mailed on 07/06/05 indicating that a substantially similar Amendment would not be entered. Applicants request that Amendment (filed 05/26/05) not be entered, but rather the instant one in its stead.

The following amendments and remarks are respectfully submitted. Reconsideration of the claims is respectfully requested.

Amendments to the claims begin on page 2 of this Amendment.

Remarks begin on page 6 of this Amendment.